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REPORT TO THE CONGRESS

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Consumer And Marketing Service's  
Enforcement Of  
Federal Sanitation Standards  
At Poultry Plants  
Continues To Be Weak B-163450

Department of Agriculture

BY THE COMPTROLLER GENERAL  
OF THE UNITED STATES

NOV. 16, 1971

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095479



COMPTROLLER GENERAL OF THE UNITED STATES

WASHINGTON, D.C. 20548

B-163450

To the President of the Senate and the  
Speaker of the House of Representatives

This is our report pointing out that the Consumer and Marketing Service's enforcement of Federal sanitation standards at poultry plants continues to be weak. The Consumer and Marketing Service is a constituent agency of the Department of Agriculture.

Our review was made pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

Copies of this report are being sent to the Director, Office of Management and Budget, and to the Secretary of Agriculture.

A handwritten signature in black ink, reading "James B. Stacks".

Comptroller General  
of the United States

D I G E S T

WHY THE REVIEW WAS MADE

The General Accounting Office (GAO) made this follow-up review at poultry plants to determine whether the Consumer and Marketing Service had improved the enforcement of sanitation standards after GAO's earlier reviews. This review covered 68 federally inspected plants, including 17 of the 40 plants GAO covered in its prior review and 51 plants selected at random from five of the leading poultry slaughtering and processing States. The 68 plants accounted for about 19 percent of the 13 billion pounds of poultry slaughtered in the United States in calendar year 1970.

FINDINGS AND CONCLUSIONS

Enforcement of sanitation standards  
still weak

Following GAO's earlier reviews, the agency took some actions to improve the enforcement of sanitation standards, including:

- Sending letters to its inspection program employees, including plant and supervisory inspectors, clearly outlining inspection objectives and sanitation procedures and assuring each employee full support for his efforts in enforcing sanitation standards.
- Issuing revised procedures, forms, and instructions, including criteria for withholding or suspending inspection, to assist inspectors in carrying out the agency's policies. (See p. 12.)

The actions taken by the agency have not been successful in achieving adequate enforcement at the plants GAO visited. For each of the 68 plants, supervisory inspectors, who accompanied GAO and evaluated each plant for compliance with the agency's standards, reported some deficiencies. The types and extent of the deficiencies, classified as either minor variations or unacceptable conditions, varied from plant to plant.

The evaluations showed that unacceptable conditions:

- Continued to exist at most of the 17 plants covered in GAO's prior review. In many cases the conditions were similar to those previously noted.

--Existed at most of the 51 randomly selected plants. At many of these plants, the conditions appeared to be of a long-standing nature and were similar to conditions noted at most of the 17 plants.

Four case studies illustrating the types of sanitation problems at the plants GAO visited are included on pages 19 through 39.

After most of GAO's fieldwork had been completed, the agency implemented a revised regulation providing criteria on the amount of moisture which may be absorbed and retained in poultry during processing. When the amount of moisture absorbed is determined to be above the specified limits, the inspector is to require that all poultry processed be held and drained to acceptable levels. Because of the timing of the regulation's implementation, GAO did not determine how well it was being implemented. (See p. 48.)

### Conclusions

Many of the sanitation deficiencies appeared to have existed over a long period. In GAO's opinion, this situation is indicative of a lack of strong, day-to-day enforcement by the agency's plant inspectors and of a lack of effective supervisory review. Weaknesses in the agency's enforcement of sanitation standards may be widespread.

Adequate criteria and policies now exist for enforcing sanitation standards. Such criteria and policies, however, provide only a basis for improving enforcement. In the final analysis the effectiveness with which sanitation standards are enforced depends on the resolve of the agency's employees at every level--from plant inspectors to Washington officials.

Ways must be found to demonstrate convincingly to the agency's inspection employees that consumer protection is the main objective of enforcing sanitation standards and that strict enforcement of such standards is essential. (See p. 41.)

### RECOMMENDATIONS OR SUGGESTIONS

In August 1970 two consultants hired by the Department of Agriculture completed a study of the agency's consumer protection programs. The consultants recommended a number of changes for reorganizing the programs. Most of the recommendations were adopted; however, one recommendation--that a separate agency be established within the Department for consumer protection programs--was not. The consultants stated that the recommendation was predicated on their belief that:

- There is an inherent difference between the nature of the agency's marketing activities and that of its consumer protection activities which creates an internal conflict.
- Consumer protection is so large an area and has such complex problems that it needs a full-time administrator.

GAO recommends that the Secretary of Agriculture reevaluate the consultants' recommendation because GAO believes that implementation of the recommendation would demonstrate convincingly that the Department was placing emphasis on consumer protection.

GAO recognizes that, should the Department adopt the consultants' recommendation, its full implementation would take some time. Also, if a separate agency were established within the Department, many of the employees now responsible for enforcing sanitation standards would continue to be responsible.

For these reasons GAO recommends also that the Secretary explore other and more immediate avenues to improve and emphasize the enforcement of sanitation standards. Such avenues might include an intensification of efforts already under way to strengthen supervision and to improve the training of inspection employees as well as increased use of disciplinary action when inspection employees do not meet their responsibilities. (See p. 42.)

#### AGENCY ACTIONS AND UNRESOLVED ISSUES

The Department (see app. I) said:

- That it initially decided not to adopt the consultants' recommendation to establish a separate agency because the consultants had stated that the meat and poultry inspection program also could function within the existing agency and because one advantage of keeping it there would be that separate administrative support functions would not have to be developed.
- That the agency was attempting to respond in specific ways to deficiencies in its supervisory structure which had been totally inadequate and was taking or planning other actions to improve the enforcement of sanitation standards.
- That the merits of establishing a separate agency should be considered but that, in its judgment, it would be a grave error to consider the creation of a new agency until the actions already under way and others being planned had been given a reasonable time test.

#### MATTERS FOR CONSIDERATION BY THE CONGRESS

The Congress may wish to consider the matters discussed in this and earlier reports in connection with a number of measures now before the Congress. These measures include bills to establish a separate Department of Consumer Affairs and the President's Reorganization Plan which would transfer the agency's poultry and meat inspection activities to a proposed Department of Human Resources. (See p. 43.)

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ABBREVIATIONS

C&MS	Consumer and Marketing Service
FDA	Food and Drug Administration
GAO	General Accounting Office

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## CHAPTER 1

### INTRODUCTION AND SCOPE

The General Accounting Office, in the past few years, issued two reports relating to the enforcement of Federal sanitation standards at poultry and meat plants by the Consumer and Marketing Service (C&MS), Department of Agriculture.

In September 1969 we reported to the Congress on the need for C&MS to strengthen its enforcement of sanitation standards and moisture requirements at federally inspected poultry plants (B-163450, Sept. 10, 1969). In that review we identified 40 plants that C&MS supervisory inspectors had reported for repeated violations of minimum standards over periods ranging from 6 months to over 5 years.

In June 1970 we reported to the Congress that C&MS needed to strengthen its enforcement of sanitation standards at meat plants (B-163450, June 24, 1970). During that review we visited 40 federally inspected meat plants and eight nonfederally inspected plants receiving Federal grading service. The plants we visited generally were ones which C&MS records indicated had sanitation problems. Of the 48 plants visited, 44 were slaughtering animals or processing meat food products under unsanitary conditions for sale to consumers. We observed instances of product contamination at 35 of the plants.

Copies of digests of the two reports are included as appendixes II and III.

This report covers our review of the adequacy of C&MS' enforcement of sanitation standards at 68 poultry plants receiving Federal inspection. We plan to make a follow-up review of the enforcement of sanitation standards at meat plants.

Of the 68 federally inspected poultry plants covered in this review, 17 were selected from the 40 plants included in our prior review and 51 were selected at random from a listing of poultry plants receiving Federal inspection in five of the leading poultry slaughtering and

processing States. Thus we followed up on the adequacy of actions taken at plants included in our prior review and also visited a number of randomly selected plants to form a broad basis for evaluating the adequacy of C&MS' enforcement of sanitation standards at Federally inspected poultry plants throughout the United States.

We visited the plants during the period October 1970 to March 1971. We were accompanied by C&MS supervisory inspectors who reviewed the plants' compliance with C&MS sanitation standards. In addition to visiting the plants, we reviewed records and interviewed officials at C&MS headquarters in Washington, D.C., at five of C&MS' regional offices, and at selected C&MS circuit offices in those regions. We reviewed also C&MS' revised procedures for identifying and preventing shipments of poultry containing excessive moisture--a matter discussed in our earlier report.

#### FEDERALLY INSPECTED PLANTS

The Poultry Products Inspection Act, as amended by the Wholesome Poultry Products Act (21 U.S.C. 451), provides for Federal inspection of poultry and poultry products to prevent the movement in interstate or foreign commerce of poultry products which are unwholesome, adulterated,<sup>1</sup> or otherwise unfit for human consumption. The act provides also that each plant that slaughters or processes poultry for sale in interstate or foreign commerce be operated in accordance with such sanitary practices as are required by regulations promulgated by the Secretary of Agriculture.

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<sup>1</sup>With respect to sanitation, the act defines a product as adulterated if (1) the product has been prepared, packed, or held under unsanitary conditions whereby it may have become contaminated with filth or may have been rendered injurious to health or (2) the product consists, in whole or in part, of any filthy, putrid, or decomposed substance or is for any reason unsound, unhealthful, unwholesome, or otherwise unfit for human food.

The Secretary has delegated to the Administrator of C&MS authority under the act, including the authority to suspend inspection at any plant failing to maintain sanitary conditions. If suspended, a plant cannot slaughter or process poultry. Federal inspection may be resumed when the plant complies with Federal standards.

C&MS inspectors assigned to individual plants have been delegated authority to suspend inspection temporarily from an entire plant or from individual operations within a plant where unsanitary conditions which cause product contamination are found. Where the inspectors observe unsanitary conditions which do not immediately threaten the wholesomeness of the product, they are to identify them for correction by management.

If plant facilities or methods of operation are not brought into compliance within a reasonable period, the eligibility of the plant to receive Federal inspection services can be terminated.

As required by the act, C&MS has published regulations setting forth standards for sanitation in the Federal Register (7 CFR 81). The regulations provide that inspection personnel may reject for use any unclean equipment, utensil, room, or compartment. C&MS has also published a handbook to assist its inspectors in carrying out their responsibilities. As of December 31, 1970, 1,180 poultry plants were under Federal inspection.

The Wholesome Poultry Products Act, approved August 18, 1968, expanded the Department's responsibilities by authorizing the Secretary to cooperate with the States in developing and administering effective State poultry inspection laws and programs. The act also provided for expanding the Federal program to include the inspection of poultry and poultry products moving in intrastate commerce if a State does not have an inspection program at least equal to the Federal program within 2 years after enactment of the act. The 2-year limit was later extended to 3 years by administrative action. The poultry inspection programs of 33 States had progressed to "equal to" status through October 31, 1971.

Meat plants that ship meat and meat food products in interstate or foreign commerce must comply with requirements of the Federal Meat Inspection Act, as amended by the Wholesome Meat Act of 1967 (21 U.S.C. 601). These requirements are similar to those for poultry and poultry products plants. As of the end of 1970, about 2,800 meat plants were under Federal inspection.

## PROGRAM ADMINISTRATION

The Federal poultry and meat inspection programs are under the overall administration of C&MS headquarters in Washington, D.C. The programs are carried out by eight regional offices, each headed by a regional director. The territory of each regional office is divided into circuits. Circuit officers in charge are responsible for supervising the inspectors assigned to provide day-to-day inspection at plants in their circuits. As of December 31, 1970, about 8,700 C&MS inspection employees were located throughout the United States; about 7,300 of them were assigned to meat and poultry plants.

Major activities for which poultry plant inspectors are responsible include:

- Inspection for sanitary condition of facilities and equipment used in the production and handling of poultry products.
- Inspection for wholesomeness and adulteration of poultry before and during slaughter and during processing.
- Supervision of disposition of adulterated poultry products so that they are not used for human food purposes.

## PROGRAM COSTS

The Federal Government pays the cost of the Federal poultry inspection program, except for the costs of overtime and holiday inspection services which are charged to the plants receiving such services. The Government also makes matching grants to those States that have developed intrastate inspection systems that measure up to the Federal system and to those States that are working toward that goal.

C&MS received appropriations of about \$34 million for fiscal year 1971 and about \$44 million for fiscal year 1972 to carry out its poultry inspection activities.

OTHER ACTIVITIES OF THE CONSUMER  
AND MARKETING SERVICE

In addition to meat and poultry inspection, C&MS:

- Inspects egg products pursuant to the Egg Products Inspection Act of 1970 (21 U.S.C. 1031).
- Provides inspection, grading and classing, and standardization services for other products, such as cotton, grain, fruits and vegetables, naval stores, dairy products, and tobacco.
- Carries out marketing activities under the Agriculture Marketing Act of 1946 (7 U.S.C. 1621) to aid in promoting the orderly and efficient marketing and effective distribution of farm products.
- Administers regulatory laws aimed at protecting farmers and others from financial loss from deceptive, careless, and fraudulent marketing practices and from unfair transportation rates and services on farm supplies and products.
- Purchases surplus agricultural commodities for distribution to schools, families, and institutions and for emergency relief use.

## CHAPTER 2

### ENFORCEMENT OF FEDERAL SANITATION STANDARDS

#### AT POULTRY PLANTS CONTINUES TO BE WEAK

C&MS has taken some actions to strengthen the enforcement of sanitation standards since our earlier reviews. These actions, however, have not been successful in achieving adequate enforcement of sanitation standards. Our most recent review at 68 poultry plants revealed varying degrees of conditions that were unacceptable under C&MS sanitation standards. The unacceptable conditions:

- Continued to exist at most of the 17 plants included in our prior review. In many cases the conditions were similar to those previously noted.
- Existed at most of the 51 randomly selected plants. At most of the plants, the conditions appeared to be of a long-standing nature and were similar to conditions noted at the 17 plants.

In many cases the unsanitary conditions caused visible product contamination. In other cases, contamination was not visible but the conditions were such that bacteriological contamination might have resulted. The importance of good sanitation was emphasized by an official of the Food and Drug Administration (FDA) who, in an article on food sanitation,<sup>1</sup> stated:

"The complete cleanliness of equipment is of extreme importance in the prevention of bacteriological contamination. Unless cleaned at frequent intervals, trays, pans, belts, and other surfaces with which the food comes in contact

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<sup>1</sup>Robert L. Shelton, Jr., The Changing Concept of Food Sanitation, (FDA Papers, October 1967.)

accumulate enough organic matter to support the growth of micro-organisms which may then be transferred to the food product.\*\*\*"

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"While there is much discussion of eventual microbiological standards for foods, there can never be a satisfactory substitute for control-at-source. This may be readily accomplished by implementing a sanitation and quality control program as a basic element in food production."

Because our review included a number of plants selected at random, we believe that weaknesses in the enforcement of sanitation standards by C&MS may be widespread. Indications are that the weaknesses have persisted over a long period, and we believe that they will continue to persist until C&MS inspection employees at all levels strictly enforce sanitation standards.

The following sections of this chapter discuss (1) certain actions taken by C&MS to enforce sanitation standards at poultry plants since our prior review, (2) the conditions in poultry plants visited during this review, (3) our conclusions and recommendations, and (4) the Department's comments and our evaluation of them.

ACTIONS TAKEN TO ENFORCE SANITATION  
STANDARDS AT POULTRY PLANTS SINCE OUR  
PRIOR REVIEW

Our prior reports to the Congress on C&MS' enforcement of sanitation standards in federally inspected poultry and meat plants included recommendations to the Administrator of C&MS dealing with

- the establishment of effective criteria for the suspension and termination of inspection services at plants in violation of minimum standards and
- the need for reemphasis to employees at all levels of their responsibilities for the enforcement of regulations to ensure that products are wholesome and unadulterated.

In commenting on a draft of the September 1969 report on poultry plants, the then-Administrator of C&MS told us that C&MS had activated a rigorous national effort to ensure adequate sanitation in federally inspected poultry plants. He stated that

- inspection would be suspended at plants which were unwilling to provide acceptable sanitary conditions,
- instructions to field personnel had been amended to provide a better understanding of sanitation requirements, and
- regional directors had been asked to make in-depth reviews of the 40 plants covered in our review and to take appropriate actions, including the suspension of inspection services where warranted.

Subsequently C&MS provided us with the following summary of actions taken with respect to the 40 plants covered in our prior review:

<u>Action taken</u>	<u>Number of plants</u>
Federal inspection withdrawn either by C&MS or at the request of plant management	11
Federal inspection temporarily suspended while action was taken to bring plant sanitation in line with C&MS standards	8
Corrective actions taken or scheduled which did not require cessation of operations	<u>21</u>
Total	<u>40</u>

In commenting on a draft of our June 1970 report dealing with meat plants, the then-Administrator told us that

- the emphasis and objectives of the major inspection improvement program, which was already under way, were being intensified and were completely in line with and responsive to the recommendations in the report;
- a letter had been directed to all meat and poultry inspection program personnel clearly outlining inspection objectives and sanitation procedures and assuring each employee full support for his efforts in enforcing sanitation standards; and
- revised procedures, forms, and instructions, including criteria for withholding or suspending inspection, had been issued to assist inspectors in carrying out C&MS' policies at plants where unsanitary conditions were found.

He stated that, although the record demonstrated some progress, still further action was needed. He indicated that further actions would be determined by a study then being made on improvements needed in C&MS' administration.

In August 1970 two consultants hired by the Department completed a study of C&MS' consumer protection programs.

Their report contained a number of recommendations to the Assistant Secretary of Agriculture for Marketing and Consumer Services for reorganizing the programs.

In October 1970 a new Administrator was appointed, and in November 1970 the Secretary announced that, largely on the basis of the consultants' report, C&MS' meat and poultry inspection programs had been reorganized to provide more direct lines of communication and to improve consumer protection.

Among the consultants' recommendations that were adopted were ones to:

- Establish a separate division for sanitation and plant facilities and a sanitation officer position in the Field Operations office in Washington and in each regional office. These changes were intended to provide continuous and uniform attention to sanitation problems.
- Combine all of C&MS' Washington inspection and review staffs into a single unit reporting to the Administrator to give him better intelligence regarding the effectiveness of the inspection programs.

In August 1971 C&MS officials told us that other recommendations of the consultants directed at improving the uniformity of inspections, strengthening supervision, and increasing training were to be implemented.

One of the consultants' recommendations--to separate C&MS' marketing functions and its consumer protection functions by establishing a separate agency for consumer protection programs--has not been adopted by the Department. The consultants stated that this recommendation was made because they believed that there was an inherent difference in the nature of C&MS' marketing and consumer protection programs which created an internal administrative conflict. The consultants stated further that consumer protection was so large an area and had such complex problems that it needed a full-time administrator.

In July and August 1970, shortly after we told C&MS that we were initiating a follow-up review of the enforcement of sanitation standards in poultry plants, a C&MS review team visited 43 poultry plants, including the 40 plants we covered in our prior review. Of the 43 plants, 34 were eligible for Federal inspection, nine had Federal inspection withdrawn either voluntarily or involuntarily, and 28 were in operation at the time of the team's visit. The team reported that operations had to be suspended so that sanitation deficiencies could be corrected at 13 of the 28 plants and that it observed contaminated products at nine plants.

CONDITIONS IN POULTRY PLANTS VISITED  
DURING THIS REVIEW

C&MS records showed that, in calendar year 1970, the 68 plants we visited accounted for about 19 percent of the 13 billion pounds of poultry slaughtered and about 13 percent of the 3 billion pounds of poultry processed in federally inspected poultry plants in the United States.

C&MS supervisory inspectors, who accompanied us on our plant visits, reviewed the plants' compliance with C&MS sanitation standards. In their review the inspectors used a form which provided that an item being reviewed be classified as (1) acceptable, (2) in minor variation, or (3) unacceptable.

The inspectors reported some deficiencies in sanitary conditions in each of the 68 plants. The types and the extent of the deficiencies, classified either as minor variations or unacceptable conditions, varied from plant to plant. Many of the deficiencies appeared to have existed over a long period.

Because judgment is involved, uniform and consistent application of sanitation standards is difficult. During plant visits we observed, on occasion, that similar conditions were rated as violations of C&MS standards by one inspector but not by another inspector.

At 40 plants, including 13 of the plants covered in our prior review, the inspectors who accompanied us suspended normal operations for periods ranging from 10 minutes to several days because the plants did not meet certain C&MS standards. In 15 plants the suspensions were for 4 hours or longer.

Contaminated products were observed in 35 of the plants. Contaminants observed included fecal matter, ingesta (contents of digestive tract), bile, and feathers. Potential contamination from dirty equipment; generally poor sanitation; inadequate pest control; and dirty floors, walls, and overhead structures was also evidenced in most plants.

The following table summarizes, for various sanitation categories under slaughter and processing operations, the percentages of times that the C&MS inspectors who accompanied us rated the items on the C&MS review form as unacceptable or in minor variation at the 68 plants. Under each category one or more items may have been reviewed. Not all items were reviewed at each plant.

<u>Item reviewed</u>	<u>Percent of times rated less than acceptable</u>					
	<u>Follow-up plants</u>			<u>Randomly selected plants</u>		
	<u>Minor variations</u>	<u>Unacceptable</u>	<u>Total</u>	<u>Minor variations</u>	<u>Unacceptable</u>	<u>Total</u>
<b>Slaughter operations:</b>						
Preoperative sanitation (floors, walls, overhead structures, and equipment)	58	27	85	50	22	72
Operative sanitation (slaughter, scalding, picking, eviscerating, and carcass cooler facilities and equipment)	21	15	36	33	11	44
General sanitation (dry storage, outside premises, employee welfare facilities, and pest control)	37	17	54	35	14	49
Maintenance and/or facilities and equipment (carcass coolers and slaughter, scalding, picking, chilling, and eviscerating areas)	33	5	38	38	10	48
Giblet preparation (handling, cleaning, and trimming)	38	15	53	30	6	36
Condensation prevention in chilling area	46	8	54	33	6	39
Ice source and handling	38	15	53	53	19	72
<b>Processing operations:</b>						
Facilities and maintenance (floors, walls, ceilings, doors, equipment, and storage areas)*	44	0	44	34	10	44
Sanitation of equipment	56	33	89	33	44	77
General sanitation (general housekeeping, pest control, and outside premises)	11	0	11	41	20	61

The above table shows that, generally, unacceptable conditions and minor variations were as often found in the 17 plants we had visited during our prior review as in the 51 randomly selected plants.

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The four following case studies discuss the conditions encountered during this review at two of the plants covered in our prior review and at two of the plants selected at random. These cases illustrate the types of sanitation problems that we and the C&MS supervisory inspectors observed during this review.

## Plant A

This poultry-slaughtering plant was one of those included in our prior review because it had been identified by C&MS inspectors for repeated violations of sanitation standards.

Subsequent to our prior review, C&MS supervisory inspectors made several reviews of this plant during the period July 1969 through July 1970 and reported numerous sanitation deficiencies. Following are some of the items reported by a supervisory inspector after his plant visit on August 5, 1969.

- Antemortem area: manure and mold on the wall and adequate drainage not provided on outside premises.
- Carcass coolers: walls and ceilings were moldy and broken and there was heavy condensation.
- Floors, walls, overhead: some mold on walls in picking room, rust on overhead supports, and house-keeping unacceptable.
- Equipment: pickers and scalders in poor state of repair and construction of some equipment not acceptable.
- Employee welfare facilities: crowded and insufficient toilet facilities for women.
- Slaughter, scalding, and picking rooms: sanitation not acceptable.
- Dry storage: box storage not acceptable. Should be stacked to prevent vermin and allow for cleaning.
- Shipping and receiving area: not properly drained, deep pits in loading docks, and fly problems.
- Outside premises and maintenance and service areas: old junk and paper, improperly drained, and no attempt to keep clean.

After another review 3 weeks later, the supervisory inspector in a memorandum to the C&MS Regional Director stated:

"Finally, after ante-mortem inspection, I instructed inspectors to let the company start since degree of noncompliance was so extensive that a short delay for some corrections was unrealistic." (underscoring supplied)

A supervisory review made in July 1970 showed the following conditions.

- Floors, walls, and ceilings: rusty overstructure, leaks in roof, and cracks in blood tunnel trough.
- Carcass coolers: condensation from drip pans.
- Slaughter, scalding, and picking areas: some equipment not clean; leaky roof in picking area; some rust and flaking paint on overhead structures; and cracks in walls, floor, and door facing.
- Eviscerating department maintenance: holes in wall, grease on cable of one eviscerating line and one cut-up line, and peeling paint on one line above giblet table.
- Ice source and handling: ice bin and conveyor need renovation.

In commenting on the July 1970 review, the C&MS Regional Director stated in a letter to C&MS headquarters that these deficiencies had either been corrected or were scheduled for correction. He concluded with the following comment.

"Response on the part of plant management appears to have been good; however, we will push for prompt correction of the few remaining unsatisfactory items and keep a close watch on the plant in an effort to assure that corrections are maintained."

On January 13, 1971, we visited the plant accompanied by a supervisory inspector. This inspector had assumed the responsibility for the plant about 3 months prior to our visit.

He inspected the live-bird holding area; the receiving dock; and the killing, scalding, and picking areas and informed plant management that the general housekeeping of these areas was so poor that additional clean-up would be necessary. In his report the supervisory inspector included the following comments on these and other areas he inspected.

#### Antemortem area

- Sanitation in this area was nonexistent. Floors were filthy and corners were piled with debris. Motors moving the conveyors were encased in black tarry dirt and grease mixed with feathers. This condition had existed for a long time. Rollers were so congested with fecal material, feathers, and dirt that they were difficult to move.
- Ceiling areas gave the appearance of a cheap horror movie scene with numerous cobwebs and heavy dust accumulations. The area surrounding the docks was muddy and strewn with debris.

#### Preoperative sanitation

- Scalder was unacceptable due to dirty water covered with bloody foam. This evidenced that equipment had not been properly washed. Rust was thick and caked at entrance of scalding. There was a heavy blood accumulation from previous slaughter. The scalding needed complete renovation and a thorough cleaning.
- Pickers had been improperly cleaned and the top covering showed much dirt, feathers, and old fat in one corner. When this area was again inspected, the blood was still present in the corner area of the scalding, feathers were still in pickers, and the above-mentioned covering had not been touched.

--The exhaust fan in the window had not been cleaned for months. Walls were splattered and corners were cluttered with dirt and feathers.

### General sanitation

--The dry-storage area was unacceptable. Dirt was underneath boxes, cartons were piled and jammed in corners, and there was filthy debris between cartons and walls at the top of stairs. There was no protective covering, such as screens or air curtains, to prevent flies from entering building during the time when boxes were received. A plastic covering was used in one area to cover the operation area. The opening was torn and the covering was in poor condition, allowing dust and dirt from this area to blow in on the product. This area should be enclosed to prevent dust contamination of the product.

--Restrooms were in such a condition as to be unfit for use. Commodes were plugged and wet papers were on the seats of commodes, floors, and all adjacent areas. No soap was in the dispensers.

--The outer premises were unacceptable. Debris was strewn over the area, corners next to building were filled with papers and filth. There was an accumulation of dead birds all over the outer premises. Some had been crushed by trucks and had been there quite some time. Others were in hidden areas and were decomposing.

--The live-bird holding area was devoid of any appearance of housekeeping. Weeds were high enough to make an excellent harborage for rats. Coops in the storage area had dead and decomposing birds between them.

--Pest control was not in accordance with regional instructions. No effort had been made to avoid harborages for pests.

--Hygienic practices were poor. Towels and soap were not kept in supply at appointed areas.

#### Carcass coolers

--Coolers evidenced green algae on walls. Holes in plaster and wall had not been satisfactorily repaired.

--Condensation unacceptable and its prevention was not evidenced.

#### Offal building

--The offal building was unacceptable, the east wall cracked and deteriorating. The roof apparently had been wrecked by truck.

--Drainage and care of building were improper. Drainage created a nuisance of foul, greenish, brackish material covering a swampy area.

#### Eviscerating department

--Rusty shackles contaminated birds by rusty drips. Chillers needed recaulking and seams needed thorough cleaning. The pipe overhead allowed condensation to drip in chiller. A rubber floor mat was lying in the giblet chiller. Welding was not smooth and caught product fat. Drip pan (past final wash before prechiller) needed to be replaced; it had pit marks and rust.

--Vacuum hoses for lung removal needed to be replaced and the system needed to be cleaned to get rid of fetid odor. Nozzles needed thorough cleaning to remove dirt buildup and bacterial harborage. S-shaped hangers were rusty. Shackles needed to be replaced.

--On the giblet trough, all welding should be smooth.

--Shields and covers on evisceration line needed attention to be acceptable.

- Covered drain area at end of evisceration line was rusted out and must be replaced.
- All lights over line must have tubes enclosed in plastic or other covering to prevent broken tubes' falling onto exposed product.
- Flaking rust on angle irons (braces) which were over evisceration trough must be replaced with rust-resistant material. Drip pans needed to be replaced.

#### Ready-to-cook product

- Giblet preparation was unacceptable due to contamination and improper preparation. Giblets had to be re-cleaned.
- Much better washing and preparation of the product was needed.
- Inspection of product by plant personnel was not adequate to detect deficiencies.

#### Ice source and handling

- Ice source and handling were totally unacceptable. Top part of ice-making machine was rusty. An accumulation of rust and silt was on beams and equipment. Sanitation and housekeeping were very poor in the entire area housing the machine. Water from this area dripped directly on ice. Conveyor and auger troughs were not covered. Welds and patches of these augers were dirty and difficult to clean properly. The chute to dispensing area was rusty.
- Condensation needed more attention. Necessary preventive action must be taken.

One item determined by the supervisory inspector to be unacceptable but not included in his report was the plant's freezer. The inspector told plant management that the freezer was totally unacceptable. He said that the product could not be stored in the freezer until the freezer was thoroughly defrosted and cleaned.

In summary, the supervisory inspector stated:

"In general, it must be said that this is the poorest example of an eviscerating plant in the \*\*\* Circuit.

"The overall picture of the plant and premises is certainly not one of a food processing establishment."

During his review the supervisory inspector stated that plant operations should be suspended until sanitation at the plant was at an acceptable level. Because there were about 60,000 live birds at the plant awaiting slaughter, however, the inspector contacted C&MS regional officials for advice on how to handle the situation. Regional officials told the inspector that, if possible, he should allow the slaughter of those birds on hand, after the critical areas were cleaned.

The supervisory inspector allowed slaughtering of the birds on hand to begin after a 5-1/4-hour suspension, but operations were suspended thereafter until certain items were corrected. He told plant management that the decision to allow the slaughter of the birds on hand was predicated on the assumption that the birds would probably die before they could be slaughtered if there was a plant shutdown. He stated that this decision in no way condoned the condition of the plant or the general attitude of plant management toward sanitation.

Plant management objected strongly to the corrections required for the ice facilities, offal house, and freezer since these required major repairs. Plant officials said, in relation to the freezer, that no other freezer storage facilities were then available in the area and asked that they be allowed to use the freezer until January 25, 1971, at which time freezer storage space would be available at another plant.

On January 15, a regional official, on the advice of a C&MS Washington official, instructed the plant inspector to allow the plant to resume operations. Operations were resumed on January 16. On January 18 a regional official

granted the plant permission to use the freezer until January 25.

Regional officials told us that the decision to allow operations to resume was based on the plant inspector's assessment of the plant's corrective action. The supervisory inspector visited the plant on January 22 and found that corrective action had not been completed on four items--the outside premises, the ice machine, the sizing bins, and the ice auger covers.

The supervisory inspector told us that he was disturbed by the decision to allow operations to resume without his approval and without his knowledge that the specific items listed in his report had been corrected. He told us that, because operations had been allowed to resume prior to correction of the discrepancies to his satisfaction, conflicts would continue to exist between plant management and the C&MS inspection staff. He said that the only thing accomplished by the suspension was that the plant was cleaned enough to meet minimum standards. He said that the C&MS inspection staff would have to continue struggling, as before, to force the plant to operate under acceptable conditions.

In March 1971 the plant's inspector in charge reported to his supervisor that one of his inspectors had been threatened by the plant manager. The plant manager was subsequently replaced by the company. The Office of the Inspector General, Department of Agriculture, investigated the incident and found that the inspector had been verbally assaulted and harassed. As a result of the investigations, C&MS sent a warning letter to plant management citing the seriousness of the incident.

## Plant B

This plant slaughters and eviscerates ducks. It was one of the 40 plants covered in our prior review because it had been reported by C&MS as not being in compliance with C&MS sanitation standards on several occasions during the period September 1963 to June 1968.

During 1969 and 1970, a C&MS regional official and a supervisory inspector visited this plant on numerous occasions. Their reports showed different opinions of the sanitation conditions. Between June 1969 and May 1970, the regional official reviewed the plant on four occasions. Although noting some problems, his reports generally indicated continued improvement in plant sanitation. During about the same period, June 1969 to July 1970, however, the supervisory inspector reviewed the plant five times and continued to find numerous deficiencies.

On June 20 and October 13, 1969, the supervisory inspector's reports described many unacceptable conditions. The October report included the following statement:

"In view of the fact that sanitation at this plant has been lagging, always at a low level, I recommend that inspection be withheld or withdrawn until the plant management indicates to the Consumer Protection Program that they will operate their plant in accordance with the Federal Poultry Regulations and meet satisfactory sanitation requirements."

On October 17, 1969, the regional official visited the plant. He reported that some improvement had been made since his last visit but that many corrections were still to be made especially in the area of equipment and facility repairs. He reported also that sanitation in some departments continued to be a problem.

On January 19, 1970, the regional official again visited the plant and reported that a great deal of improvement had been made in the plant since his visit in October 1969.

On May 28, July 1, and July 14, 1970, the supervisory inspector visited the plant and found many unsanitary conditions. As a result of the July 14 review, the Regional Director wrote to the plant owners on July 21:

"On July 14, 1970, Dr. \*\*\* visited your plant and found the following conditions existing before the beginning of operations:

- "1. Offal room was unclean.
- "2. Restrooms were filthy--toilets and sinks were unclean. Cobwebs were present and the floors needed to be swept.
- "3. Employees' aprons were badly worn and encrusted with dried blood.
- "4. All floors in the plant needed sweeping.
- "5. Overhead structures were either dusty, rusty, or grease encrusted.
- "6. Eviscerating shackles were dragging across a window ledge on return to the picking room.
- "7. The scalding and picker were both encrusted with feathers from previous operations.
- "8. The wax handling area was unacceptable.
- "9. Eviscerating shackles were contaminated with blood, tissue, wax, and rust.

"Memorandums from here dated October 13, 1969 and May 28, June 20, July 1, 1970, included similar conditions which were unacceptable.

"If these unsanitary conditions continue to be found in your establishment on supervisory review, we will interpret this to mean that you do not intend to cooperate with the inspection in your plant and we will have no alternative other

than to suspend inspection at Plant \*\*\*. If you have any questions about sanitation requirements in your plant, please contact Dr. \*\*\* who will advise you of our minimum standards. We hope that suspension of inspection will not be necessary, however, this is your notice that we intend to do this the next time a supervisory review indicates you are not complying with our very basic sanitation requirements."

On July 23, 1970, a C&MS review group surveyed the plant and concluded that, although general housekeeping remained a problem, the plant was producing a wholesome unadulterated product. They noted evidence of substantial improvement in both the equipment and the facilities of the plant. They attributed the cause for the continued problem of improper cleanup to a lack of communication between plant management and the C&MS plant inspector. A supervisory inspector who accompanied the review group noted some deficiencies including the following.

- No rodents or mice noted in plant. One particle of what appeared to be a rat feces noted on packing table. No evidence of traps or other means to control vermin.
- Toilet area could be cleaner.
- Floor and walls need a better cleaning. Feathers in buckets from previous operations.
- General floor sweeping needed in all departments.
- Some overhead pipes with dust. Shackles dragging over window ledge.
- Scalder: feathers and filth.
- All shackles: rusty chains. Live-hang shackles have been painted; starting to flake off. Eviscerating room shackles worn and starting to rust. Picker: feathers caught under fingers. Entire wax handling operations unsatisfactory. Settling tank unclean before start of operations. Wax picker unclean; old

wax encrusted between fingers. Pinning tables:  
grease accumulation on undersurface.

--Packing area: table unclean.

--Lung gun and cryovac nozzles had a putrid odor.

--New York Dress tanks unclean; grease and debris in  
bottom.

--Floor drain in cooler too small to accommodate drain-  
age. Large puddle of water in center of floor.

Subsequent to the review group's visit, the supervisory  
inspector wrote the C&MS plant inspector:

"It is apparent that your conception of the Sani-  
tary Requirements within and outside premises is  
not in line with C&MS \*\*\* standards. It appears  
as if you are not reading or do not understand the  
regulations, memos, and etc., that are issued to  
you \*\*\*.

"It appears that your control of the plant sanita-  
tion is very lax and definitely unacceptable. You  
must improve your control of sanitation at \*\*\* [the  
plant]."

We were unable to find any subsequent supervisory re-  
ports for this plant.

On February 1, 1971, the C&MS plant inspector in charge  
accompanied us on our review of the plant because the super-  
visory inspector and his assistant were both unable to visit  
the plant on this date. The day we visited the plant was the  
first day the plant inspector in charge had been assigned  
to the plant. The previously assigned plant inspector had  
been replaced because he had not adequately enforced C&MS  
sanitation standards.

Numerous sanitation deficiencies were observed during  
the review, and plant operations were delayed 4-1/2 hours  
while certain of the deficiencies were corrected. The fol-  
lowing deficiencies are some of those noted by the inspector.

### Slaughtering department

- Floors, walls, and ceilings: cobwebs on ceiling; flaking paint on ceilings and wall; floor cleaning needs improvement.
- Ventilation: ventilation fan inadequate; too much of an accumulation of steam.
- Equipment: rusty product holding tanks (rejected); de-waxer machine very filthy (rejected for use until cleaned); de-picking machine tanks, knives, tables, etc., unsatisfactorily cleaned (corrected before use).

### Eviscerating department

- Ceilings: scaling paint; hanging insulation on overhead pipes.
- Lavatories: need more cleaning.
- Equipment: rusty product holding tanks (rejected); pails, tanks, tables, etc., had specks of paint and some buildup of dirt and organic matter (thoroughly cleaned before use); some shackles were rusty; accumulation of grease and graphite on rails; lung-removing equipment was filthy (corrected before use).

### Other

- Freezer: unsatisfactorily cleaned.
- Personnel dress: dirty aprons and clothes.
- Storage room: area cluttered; some boxes for shipping product stored under working tables; plastic wrappers not adequately covered.

During the visit we observed noncompliance with certain C&MS standards relating to processing operations which the inspector did not include in his report but which he acknowledged in our discussions with him. These included (1) poultry not being washed prior to being placed in holding tanks for evisceration, (2) water in the holding tanks

exceeding the allowable temperature, and (3) poultry not being chilled to 40 degrees or lower within 4 hours after slaughter.

The C&MS plant inspector required that most of the deficiencies he reported be corrected prior to the start of the day's operations.

## Plant C

This randomly selected plant processes a variety of food products, including poultry and meat products. Correspondence and reports for January 1968 through November 1970 indicated only minor sanitation problems at this plant. A report on a visit to the plant by a supervisory inspector in November 1970 indicated that sanitation may have begun to deteriorate. Deficiencies noted during the November visit included rust and flaking paint.

On December 10, 1970, we were accompanied by the supervisory inspector on a review of this plant. The review concentrated on the part of the plant in which meat and poultry was processed and stored, because C&MS had primary responsibility for sanitation in these areas. C&MS sanitation responsibility in the remainder of the plant was limited to controlling conditions that could affect the meat and poultry areas.

On the basis of his review, the supervisory inspector rated 17 of 24 items as not meeting C&MS standards. Consequently plant management suspended operations at this plant for the entire day. Some of the conditions reported by the inspector and the results of his inspection were:

--Walls, in general, were acceptable. In cooking areas walls were tiled and kept in good condition. The junctures of the walls and floors had some cracks that required sealing. There were some holes in painted block walls that needed sealing. Also some holes for pipes had not been sealed properly.

These items are to be corrected by January 15, 1971.

--Ceilings were generally in good repair. There were instances of flaking paint from a disconnected air-conditioner unit and rust on some overhead pipes and a few metal supports.

Paint was removed from the air conditioner on December 10. A continual maintenance program was to be carried out to control flaking paint and/or rust.

--Sanitation of equipment was poor. Stainless-steel vats had a thin film of grease in corners, on some side panels, and on outside surfaces. Steam kettle cookers had film on inner surfaces, a thick accumulation under lids, and buildup on the bottom and on the steam line to it. Valve outlets and stainless-steel piping that carry broth were not satisfactorily clean. A broth funnel, plastic outlet lines, and stainless-steel elbows showed buildup. A stainless-steel can conveyor was dark from a film of grease.

A stainless-steel shovel and a fork showed some meat tissue and grease films and were speckled with paint from spray painting the walls. A rusty table had been painted with aluminum paint which had not adhered properly. A rusty scale had been refinished with aluminum paint, and the scale platform was still flaking where its surface had been cracked from rust deterioration. A stainless-steel table and meat grinder had not been cleaned thoroughly.

Also there was an excess of grease around grease fittings of closing machine. An ingredient scoop and mixer had not been cleaned properly. A can sterilizer tunnel had accumulated rust on its inner surface. A can opener and a table drawer were dirty.

Rusty tables used to handle salt pork were rejected and discarded. The slicing machine was rejected until cleaned. All the equipment (except that discarded) was cleaned and cooker lids were dismantled and cleaned. The painted scale, table, and can opener were rejected for use. The table, additional rusty tables in the equipment washroom, and some pipe stands were removed from the operation for galvanizing. The can opener was discarded to be replaced with a new one.

--An employee rest room and break room had not been cleaned properly. A urinal bowl, toilet bowls, and white enamel trash receptacles were soiled and dusty. The men's rest room had a broken glass, and the screen was down. The employees' break room did not receive effective attention and had a clutter of

dispenser package over-wraps and infrequently cleaned tables and floor.

The urinals, toilets, basin, and trash receptacle later were cleaned. Repair of window and lockers and screen replacement were to be accomplished the following day. Effective, continuous if need be, attention is to be given to the break room immediately.

--In the raw meat use and storage area, the cooler badly needed cleaning. In a holding freezer, some stacked packages had fallen and some frozen chicken had fallen from broken packages onto the floor.

Some ground beef not properly protected in a plastic bag was condemned. Chicken exposed to contamination was condemned, and stacks were put in order. The cooler was cleaned.

The supervisory inspector concluded that preoperational sanitation inspections had not been adequately effective for a period of time.

Subsequent to the review, the supervisory inspector sent a letter to the plant manager which established completion dates for those deficiencies not corrected at the time of his review.

## Plant D

Smoked turkeys and chickens are processed on a seasonal basis in this randomly selected plant. Records in the C&MS circuit and plant offices showed a continual history of sanitation problems since Federal inspection was granted to the plant in September 1968.

In April 1969 the plant inspector provided plant management with a list of 30 deficiencies related to unsanitary conditions that had to be corrected. In October 1969 the plant inspector discussed persistent sanitation problems with plant management. The plant inspector stated in a memorandum that he had been assured by plant management that steps would be taken to preclude recurrent problems.

In November 1969 a supervisory inspector visited this plant. The supervisory inspector rated sanitation as acceptable and commented that the plant was in better condition than he had ever found it on previous visits. On the same day, however, the plant inspector made the following comment in a memorandum to the file.

"Dr. \*\*\* [supervisory inspector] visited in the plant and discussed with management their problems on sanitation. Management was told if no improvement by end of the week, plant would be declared a problem plant and reported to the Regional office."

Subsequent daily sanitation reports prepared by C&MS plant inspectors continued to show recurring deficiencies. In January and February 1970, the supervisory inspector again reviewed the plant and, on both occasions, rated many facilities and sanitation items below C&MS standards.

On April 13, 1970, the C&MS plant inspector wrote a detailed memorandum to plant management about sanitation problems which he said had to be solved. The problems and/or his suggested corrective actions included:

--Carcass cooler and smokehouse: rusty conveyor; rusty overhead pipes, hangers, and rails; storage racks not kept clean; no protector on fluorescent

lights; rusty equipment throughout; frayed insulation; dirty cooling units; floor not maintained in sanitary manner; paint flaking in frank pack room; maintenance of sanitary conditions not practiced.

--Processing room and area: dirty cooling units; frayed pipe insulation; rusty doors, equipment, and containers; dirty walls; corners and holes in walls need repair; all unpainted wood should be treated; dirty overhead structures; unclean lavatory; spice room should be kept clean and rust free.

--Dry storage area (rat problems): repair all possible entries for vermin (floors, walls, ceilings, under locked doors); clean regularly and thoroughly; get rid of all unusable items; do not stack anything on top of boxes.

In the memorandum the plant inspector stated:

"These problems \*\*\* are for the most part chronic, and are to not only be solved, but (sanitary conditions) are to be maintained on a regular basis. These responsibilities are the plant management's, and therefore, inspection service will not \*\*\* accept responsibility for seeing that they are done. However, we definitely will see that no operation \*\*\* is carried on if these problems are not solved \*\*\*."

In September 1970 operations were suspended for about 1-1/2 hours by the plant inspector because of unsanitary conditions. The plant inspector, in a memorandum to the supervisory inspector, stated:

"\*\*\* While performing the first of my twice a week preoperative Sanitation surveillance I found the management of this establishment to be in violation of the Manual Section \*\*\*. They are not performing preoperative sanitation and are allowing operations to begin when unsanitary conditions exist. They, by their own admission, have not performed preoperative Sanitation inspection in over two weeks. Items too numerous to mention were found to be in an unsanitary condition \*\*\*.

"Please advise me of any further action you deem necessary to insure that the management of this establishment accepts the responsibility of pre-operative sanitation inspection."

The supervisory inspector made the following notation on the memorandum.

"Visited with Management on this & corrections were made - Management will conduct sanitation supervision."

On October 27, 1970, we were accompanied by the C&MS supervisory inspector on a review of this plant. The supervisory inspector rated 35 percent of the items he reviewed as not meeting C&MS standards. The deficiencies he found and his suggested corrective actions follow.

#### Facilities and maintenance

- Floor in sales cooler needs patching in two areas.
- Small holes in walls of processing room and sales cooler need patching.
- Patches on cooler doors need caulking.
- Unused rusty rails were over products in cooler; area was restricted until corrected.
- Freezer needs better housekeeping; freezer was tagged and condition was corrected.

#### Sanitation

- Some areas of the floors around walls in processing areas need better cleaning.
- Walls in the processing room near the grinder need better cleaning.
- Condensation control needs attention in the stuffer room.

--Unused stuffer was rusty and should be tagged for cleaning or removal.

--General housekeeping in all areas needs improving.

During the review the supervisory inspector rejected a few pieces of equipment and areas for use until cleaned. The supervisory inspector also told the plant foreman that the plant inspector in charge had been instructed to reject the freezer in the future if it ever reached the same condition in which he had found it.

## CONCLUSIONS

The extent and types of conditions reported by C&MS supervisory inspectors and observed by us at the 68 poultry plants included in this review demonstrated that C&MS still was not adequately enforcing its sanitation standards at poultry plants. In view of the large number of randomly selected plants included in this review, we believe that conditions observed during our plant visits may be widespread.

Many of the conditions observed appeared to have existed for long periods of time--a situation which we believe is indicative of a lack of strong, day-to-day enforcement by C&MS plant inspectors and of a lack of effective supervisory review. In such circumstances consumers are not provided with adequate assurance that they are receiving the unadulterated products intended by the Poultry Products Inspection Act.

This is the third report that we have issued on C&MS' enforcement of sanitation standards in domestic meat and poultry plants. It is the second report dealing with poultry plants. In the earlier reports we recommended that C&MS issue improved criteria for enforcing sanitation standards and reemphasize to its employees at all levels their responsibilities for enforcing such standards.

Following our earlier reports C&MS issued revised procedures, sanitation standards, and forms and stressed the need for strict enforcement of standards to employees and industry through letters and meetings. It was apparent from this review, however, that C&MS' actions had not substantially improved the enforcement of sanitation standards at poultry plants.

We believe that adequate criteria and policies now exist for enforcing sanitation standards. In our opinion, however, C&MS inspection employees at every level need to intensify their enforcement of sanitation standards. As we stated in our June 1970 report on meat inspection:

"Clear and firm criteria--setting forth the actions to be taken when unsanitary conditions are

found--and improved reporting policies can provide a basis for improving C&MS enforcement of sanitation standards at meat plants. In the final analysis, we believe that the effectiveness with which such standards are enforced will be dependent on the resolve of C&MS personnel at each and every level--from the plant inspectors to the Washington officials."

Given adequate criteria and policies, the essential keys to strict enforcement of sanitation standards will continue to be the actions taken by C&MS' 8,700 inspection employees and the support that they receive from their superiors at all management levels. Ways must be found to demonstrate convincingly to C&MS inspection employees that consumer protection is the main objective of enforcing sanitation standards at federally inspected plants and that strict enforcement of such standards is essential.

We believe that one way in which improved enforcement might be accomplished would be to establish a separate agency in the Department for consumer protection programs. This action was recommended in August 1970 by Department consultants, but the recommendation was rejected by the Department. We believe that the Department should reevaluate the recommendation.

As the consultants stated in their report, their recommendation that a separate agency be established was predicated on their belief that

--there is an inherent difference between the nature of C&MS' marketing activities and that of its consumer protection activities which creates an internal administrative conflict and

--consumer protection is so large and has such complex problems that it needs a full-time administrator.

Establishing a separate agency for consumer protection seems even more appropriate in view of the increased responsibilities for consumer protection activities that the Congress placed on the Department in the Wholesome Poultry Products Act of 1968, the Wholesome Meat Act of 1967, and other legislation.

We recognize that, should the Department adopt the consultants' recommendation, its full implementation would take some time. We recognize also that, if a separate agency for consumer protection were established within the Department, many of the employees now responsible for enforcing sanitation standards would continue to be responsible.

Therefore we believe that the Department should consider other and more immediate avenues to improve and emphasize enforcement of sanitation standards. Such avenues might include an intensification of efforts already under way to strengthen supervision and to improve the training of inspection employees as well as increased use of appropriate disciplinary action when C&MS inspection employees at any level do not meet their responsibilities.

#### RECOMMENDATIONS TO THE SECRETARY OF AGRICULTURE

We recommend that the Secretary of Agriculture reevaluate the consultants' recommendation that a separate agency for consumer protection programs be established.

We recommend also that the Secretary explore other and more immediate avenues to improve and emphasize the enforcement of sanitation standards, including the intensification of efforts already under way to strengthen supervision and to improve training as well as increased use of disciplinary action when inspection employees do not meet their responsibilities.

MATTER FOR CONSIDERATION BY THE CONGRESS

Because of the importance to the consumer of proper enforcement of sanitary standards, we believe that the Congress may wish to consider the matters discussed in this report and in our earlier reports in connection with a number of measures before the Congress which bear either on the issue of consumer protection or on the food inspection programs of C&MS.

These measures include:

- Bills to establish a separate Department of Consumer Affairs in the executive branch (H.R. 254 and 1015, 92d Cong.). These bills, which have been referred to the House Committee on Government Operations, call for the transfer of certain C&MS functions, with the apparent exception of meat and poultry inspection and grading, to the new department.
- The President's Reorganization Plan (reprinted as H. Doc. 92-75) which calls for the transfer of C&MS meat and poultry inspection and grading activities to a proposed Department of Human Resources. The programs of FDA also would be transferred to the new department, which would offer an opportunity to logically coordinate the consumer protection programs of C&MS and FDA. A bill to create the Department of Human Resources has been introduced in the Congress (H.R. 6961, 92d Cong.) and has been referred to the House Committee on Government Operations for consideration.
- A bill (H.R. 11298, 92d Cong.) which would establish the Federal Food Safety Administration to ensure the safety of food, its nutritional quality, and conformity to accepted standards and to control its packaging and labeling. Among other functions the bill would transfer to the new agency the functions of the Secretary of Agriculture under the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act.

Although we are recommending that the Secretary of Agriculture reevaluate the earlier consultants' recommendation that a separate agency for consumer protection be established in the Department of Agriculture, we believe it desirable that the Congress consider the possibility of transferring the meat and poultry inspection functions of C&MS to a new or existing department or agency where they could be combined with other consumer protection functions of the Government.

#### AGENCY COMMENTS AND OUR EVALUATION

In his November 2, 1971, letter (see app. I), the Administrator of C&MS commented for the Department on our recommendations and on the matter for consideration by the Congress. The Administrator's comments and our evaluation of them are presented below.

#### Avenues to improve and emphasize enforcement of sanitation standards

The Administrator said that he believed that our recommendation that the Secretary explore immediate avenues to improve and emphasize the enforcement of sanitation standards, including the intensification of efforts already under way to strengthen supervision, was:

"\*\*\* the key recommendation of your report, and by far the most significant action that can be taken toward the improvement of meat and poultry inspection in this country."

The Administrator said also that, immediately after receiving our September 1969 report, the Department began to move in a deliberate way to solve the basic structural and functional deficiencies that we had pointed out. He said further that minor changes had been made promptly but that major changes had been deferred until they could be studied carefully. He stated that a full solution to the deficiencies demanded drastic reorganization.

The Administrator said that the supervisory structure in effect during our previous review and essentially still in effect during this review was totally inadequate. He

said also that the supervisory structure was grossly lacking at all levels in that

- no centralization of authority and responsibility existed in the individual plants,
- circuit-level supervisory visits to plants were too infrequent to ensure either adequacy or uniformity of inspection,
- supervision at the regional level was inadequate because the geographic span of control was too great, and
- supervision at the national level failed because at least three Washington divisions were communicating instructions to the field and because too often the instructions had not been coordinated and were not consistent.

The Administrator said further that C&MS was attempting to respond in a specific way to each of these supervisory deficiencies. He stated that there were other elements in the organization and other aspects of the reorganization, such as consolidation of supportive functions and increased supervisory training, that had been or would be undertaken.

In addition, the Administrator said that, as soon as the new field structure was in place, both he and his Deputy Administrator for the Meat and Poultry Inspection Program planned to make visits to the regions to personally meet with all supervisors through the circuit level. He said also that they intended to make clear to the supervisors that they were fully and firmly committed to the objectives of the Wholesome Meat Act and of the Wholesome Poultry Products Act and that the supervisors would be fully supported whenever tougher regulatory measures became essential to the realization of those objectives.

#### GAO evaluation

We believe that the actions that have been or will be taken to strengthen the supervisory structure and to correct other organizational weaknesses should help to improve the

inspection program. Unless these actions result in more adequate enforcement of sanitation standards by the individual inspectors, however, they will not correct the basic weakness in the inspection program--inadequate enforcement of sanitation standards at the plants.

Reevaluation of consultants'  
recommendation

Concerning our recommendation that the Secretary re-evaluate the consultants' recommendation that a separate agency be established for consumer protection programs, the Administrator said that a major factor in the Department's decision not to create a new agency was that the consultants:

"\*\*\* also noted that meat and poultry inspection could function within C&MS without a change of organizational structure, and that 'there would be one advantage of initially keeping Consumer Protection in C&MS in that new logistic support would not have to be developed \*\*\*'."

The Administrator said also that meat and poultry inspection was not in 1970, and was not now, a viable administrative unit. He said further that, if a new agency had been created late in 1970 at the same time the reorganization was begun, it would have been necessary to devote a great deal of time, effort, and manpower toward the development of administrative support activities, such as personnel, budgeting, accounting, equipment, supplies, data processing, and statistical services, which are now provided by C&MS.

He stated that this inevitably would have slowed down program reorganization and that, since program changes were and are of a much higher priority, C&MS had decided to concentrate on them and to defer a possible administrative reorganization to a later date. The Administrator stated also that, in his judgment, it would be a grave error to consider creation of a new agency until the field reorganization was complete and until the new supervisory structure had had a reasonable time test.

The Administrator stated, however, that he fully agreed that the Secretary of Agriculture should, in the future,

consider the merits of establishing a separate agency for meat and poultry inspection but that timing was critical in a step of such great importance.

He said that the field reorganization was to be completed in December 1971 and that, allowing ample time for smoothing out rough spots in the structure and for implementing additional supervisory training programs, any further reorganization probably should not be considered for several months. Further he said that to do otherwise would merely complicate the actions that were being taken and would, in his judgment, be detrimental rather than beneficial.

## CHAPTER 3

### REGULATION FOR INSPECTION OF

#### POULTRY FOR EXCESSIVE MOISTURE STRENGTHENED

In January 1971 C&MS strengthened its regulation to prevent the shipment of poultry that had absorbed excessive moisture during processing. If adequately implemented, the new regulation should be effective.

The need for strengthening and enforcing regulations to prevent the sale of poultry containing excessive water was discussed in our prior report on poultry inspection. (See app. II for report digest.) In that report we pointed out that the previous regulations, which required daily tests to determine moisture content, did not provide C&MS inspection employees at the plants with the authority to require the plants to hold and drain poultry when moisture content was excessive.

C&MS' new regulation provides criteria to be used by the inspectors for determining whether the amount of moisture absorbed or retained in poultry is within maximum limits. When the amount of moisture absorbed is determined to be above the specified limits, the inspector is to require that all poultry processed be held and drained to acceptable levels.

Because this regulation became effective after most of our fieldwork was completed, we did not determine how well it was being applied. If properly implemented, it should provide an incentive for poultry plants to keep moisture absorption within allowable limits because the plants' operations will be disrupted to drain poultry that has excessive moisture.



UNITED STATES DEPARTMENT OF AGRICULTURE  
CONSUMER AND MARKETING SERVICE

WASHINGTON, D.C. 20250  
November 2, 1971

Mr. Max Hirschhorn  
Associate Director  
Civil Division  
United States General Accounting Office  
Washington, D. C. 20548

Dear Mr. Hirschhorn:

I appreciate the opportunity to comment on your draft audit report relative to our poultry inspection program.

The Department began to move, in a deliberate way, immediately after receiving your report of September 1969. Minor changes were made promptly (some of which are discussed in your present audit). Major changes were deferred until they could be carefully studied. A reorganization affecting thousands of employees should not be undertaken in haste and without a careful evaluation of alternatives. Yet a full solution demanded drastic reorganization.

In mid-1970, the Secretary of Agriculture commissioned a team of consultants to make a comprehensive study of the organization of meat and poultry inspection. This study was completed in October 1970. The report (generally referred to as the May-Barnard Report) was excellent, and has formed the basis for most of our organizational actions since that time. A few of its recommendations were rejected, some were altered, but most were accepted as written.

The May-Barnard Report called for a major reorganization of the meat and poultry inspection program. Perhaps its principal conclusion was that the program had a totally inadequate supervisory structure. This is essentially the finding of your 1969 audit, and is undisputably accurate. The supervisory structure was grossly lacking at all levels. In the plant, there was no centralization of authority and responsibility. At the circuit level, supervisors spent too much time behind their desks, instead of circulating from plant to plant. This was not entirely their fault, for the paper work load which kept them behind desks was imposed upon them from above; they did not create it. But this meant that supervisory visits to plants were too infrequent to insure either adequacy or uniformity of inspection. Supervision at the regional level was inadequate because geographic span of control was too great. Eight regional offices were attempting to establish and implement policy through hundreds of circuit and subcircuit supervisors. It is no wonder that inspection policy lost something in the transmittal; there was little direct transmittal. And finally, supervision at the national level failed because of

## APPENDIX I

Mr. Max Hirschhorn

nebulous lines of authority. At least three Washington divisions were communicating instructions to the field, and too often the instructions had not been coordinated and were not consistent. This understandably led to confusion and uncertainty in the field force.

The structure just described was essentially still in being during your recent audit. We should not therefore expect your 1970-early 1971 findings to be significantly different from those of September 1969.

You have recommended that "the Secretary explore...immediate avenues to improve and to emphasize the importance of enforcing sanitation standards. Such avenues might include an intensification of efforts already underway to strengthen supervision..." I believe this to be the key recommendation of your report, and by far the most significant action that can be taken toward the improvement of meat and poultry inspection in this country. It is the basic intent of the reorganization, as recommended by Drs. May and Barnard.

We are attempting to respond in a specific way to each of the supervisory deficiencies outlined earlier. (At the Washington level, the reorganization has now been completed; in the field we expect full implementation by December 1971.) For example, at the plant level, responsibility will be pinpointed through the use of "Inspectors in Charge." One man will be in charge at each of the 4,000 federally inspected plants in the U. S. Just above plant level, subcircuit supervisors will be eliminated in order to simplify the supervisory structure, and circuit supervisors will operate without offices so that they may concentrate in the field on plant supervision. With the help of the staff of the National Archives, our reports system has been redesigned, at an expected saving of more than one million dollars per year. Even more important, will be the benefits that will accrue in permitting field inspectors to concentrate on inspection rather than on paper work. The geographic span of control between the circuit supervisors and the regional offices has been shortened by the establishment of 34 area offices. These offices will not only improve supervision of the Federal circuits, but will also provide continual surveillance over State inspection programs. Finally, regional-national coordination has been enhanced by the establishment of a Field Operations Division in Washington, D. C. Thus a single division, rather than three, has authority and responsibility to issue directives or instructions to the regional offices.

In Washington, all supportive functions have been consolidated into two divisions. One, a Standards and Services Division, prepares proposed regulations, develops standards, monitors labels, approves facility drawings, etc. The other, a Laboratory Division, provides laboratory support of all kinds for the Field Operations Division. We departed from the May-Barnard Report in granting divisional status to the laboratories, but this has turned out to be one of the most important changes of all. Residue surveillance has become of tremendous importance in assuring the wholesomeness of food products, and this has placed a heavy demand on all government laboratories.

Mr. Max Hirschhorn

*There are other elements in the organization and other aspects to the reorganization, but the major points have been delineated. We have high hopes for this reorganization. We believe that we are well on the way to improved performance throughout the system.*

*The gist of your case reports and other portions of the audit is that poultry inspectors have often been too lenient. This is supported by the fact that deficiencies found in 1969 were still uncorrected a year or more later, that plant managers have agreed to corrections but failed to carry them out, and that inspectors and their supervisors have permitted operations to continue in spite of this action or inaction. In other words, inspectors ought to be tougher, and they ought to have stronger backing from above. Dr. McEnroe and I fully concur. Without defending any laxity on the part of our inspectors or their supervisors, it must, nevertheless, be recognized that stopping a plant, either temporarily or permanently, is a serious step for anyone to take. The inspectors must be accurate in evaluating a hazard to the consumer and fair in application of our standards. Their obligations extend to the consumer, to the government, and to the plant; and their total task is not easy. That is why supervision is so important, why the reorganization is so important and so relevant, and why followup to the reorganization is even more important.*

*As soon as the new field structure is in place, both Dr. McEnroe and I plan to make visits to the regions in order to personally meet with all supervisors (through the circuit level) in the program. This is unprecedented, but we believe it will pay dividends in morale and understanding throughout the organization. Among other things, we intend to make clear to the field supervisors that we are fully and firmly committed to the objectives of the Wholesome Meat Act and the Wholesome Poultry Products Act and that they will be fully supported whenever tougher regulatory measures are essential to the realization of those objectives. Though these plans were developed several months ago, they respond to your conclusion that "in the final analysis, the effectiveness with which sanitation standards are enforced depends on the resolve of C&MS personnel at every level--from the plant inspectors to the Washington officials." In addition, they respond to your statement that ways must be found "to demonstrate convincingly to C&MS inspection personnel that consumer protection is the main responsibility inherent in enforcing sanitation standards at federally inspected plants and that strict enforcement of such standards is wanted."*

*A great deal also needs to be done in the way of supervisory training among food inspectors who are in supervisory positions, as well as among supervisory veterinarians. This is to be done in a systematic manner through Staff Development Plans that will be prepared on a calendar year basis. This requirement will extend throughout all divisions of C&MS, but is of special importance in meat and poultry inspection because of its critical inadequacies. Instructions for preparation of the Calendar Year 1972 Staff Development Plan will be issued shortly.*

## APPENDIX I

Mr. Max Hirschhorn

Your audit suggests that one way to improve meat and poultry inspection might be through the establishment of a separate agency within USDA. In support of this suggestion, you cite the May-Barnard conclusions that (1) there is an inherent difference in the nature of C&MS' marketing and consumer protection activities which creates an internal administrative conflict, and (2) consumer protection is so large and has such complex problems that it needs a full-time administrator. You then question the Department's 1970 decision to maintain meat and poultry inspection within the Consumer and Marketing Service.

Drs. May and Barnard also noted that meat and poultry inspection could function within C&MS without a change of organizational structure, and that "there would be one advantage of initially keeping Consumer Protection in C&MS in that new logistic support would not have to be developed..." This was a major factor in the decision not to create a new agency. Meat and poultry inspection was not, in 1970, and is not now a viable administrative unit. All administrative support activities such as personnel services, budgeting, accounting, equipment, supplies, data processing, statistical services, etc., are provided for it by the parent agency (C&MS). If a new agency had been created in late 1970 at the same time the reorganization was begun, it would have been necessary to devote a great deal of time, effort, and manpower toward the development of these capabilities. This would inevitably have slowed the program reorganization. Since program changes were and are of a much higher priority, we decided to concentrate on them, and defer a decision on administrative reorganization to a later date.

In my judgment, it would be a grave error to consider creation of a new agency until our field reorganization is complete and the new supervisory structure has had a reasonable time test. However, I fully agree that the Secretary of Agriculture should in the future consider the merits of establishing a separate agency for meat and poultry inspection. As noted in the May-Barnard Report, this program is certainly large enough to merit agency status. But timing is critical in a step of such great importance. The field reorganization is to be completed in December 1971. Allowing ample time for smoothing out rough spots in the structure, implementation of additional supervisory training programs, etc., any further reorganization probably should not be considered for several months. To do otherwise would merely complicate the actions that are now being taken and would, in my judgment, be detrimental rather than beneficial.

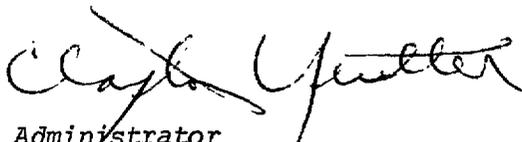
Parenthetically, it should be added that the presumed internal administrative conflict between marketing and regulatory programs, or marketing and consumer protection programs, is a myth. Each of these programs operates under a different Deputy Administrator, so they are already separated within C&MS. Any supposed conflict must, therefore, occur in my decisions as Administrator of the Agency. But this has never been a problem during my first 11 months in USDA, and I do not expect it ever to be a problem.

Mr. Max Hirschhorn

The principal issue is not so much where the meat and poultry inspection function is organizationally located but rather how it is operated. While the audit points up sanitation problems, we believe inspection has improved considerably since 1969. The audit conclusions and recommendations do not seem to recognize either the recent progress made or the significant potential for improvement which the new supervisory structure promises.

We do, however, fully share your concern for consumer protection. One cannot be nonchalant about a program of this magnitude, and of such great importance to the American public. We intend to have an efficient, effective program, and will be pleased to have your suggestions at any time.

Sincerely,

A handwritten signature in cursive script, appearing to read "Clayton C. Fuller". The signature is written in dark ink and is positioned above the typed name.

Administrator  
Consumer and Marketing Service

## APPENDIX II

COMPTROLLER GENERAL'S  
REPORT TO THE CONGRESS

ENFORCEMENT OF SANITARY, FACILITY, AND  
MOISTURE REQUIREMENTS AT FEDERALLY IN-  
SPECTED POULTRY PLANTS  
Consumer and Marketing Service  
Department of Agriculture B-163450

### D I G E S T

#### WHY THE REVIEW WAS MADE

The Poultry Products Inspection Act of 1957, as amended, provides for the inspection of poultry and poultry products which are processed in plants engaged in interstate or foreign commerce to ensure that the poultry and poultry products are wholesome, free from adulteration, and processed under sanitary conditions.

Because of the widespread production and consumption of poultry and poultry products and the fact that about 86 percent of all poultry is processed in about 900 plants under Federal inspection, the General Accounting Office (GAO) has examined into the Federal inspection program to ascertain whether the Department of Agriculture's Consumer and Marketing Service (C&MS) was adequately enforcing the minimum standards established in accordance with requirements of the Poultry Products Inspection Act. GAO's review was directed primarily to the adequacy of actions taken by C&MS at those federally inspected plants which had been reported for repeated violations of minimum standards for sanitation, facilities, and moisture absorption.

#### FINDINGS AND CONCLUSIONS

GAO found that there was a need for C&MS to strengthen its enforcement procedures to ensure that minimum standards for sanitation, facilities, and moisture absorption were met by federally inspected poultry plants.

GAO identified 40 plants that were reported by C&MS supervisory personnel for repeated violations of minimum standards over periods ranging from 6 months to over 5 years. Most of the violations involved sanitation requirements which were intended to ensure the wholesomeness of the product. The 40 plants accounted for about 6 percent of the 11.2 billion pounds of poultry slaughtered under Federal inspection during calendar year 1967. (See pp. 7 to 19.)

GAO believes that the lack of timely action by C&MS to suspend or terminate inspection services at plants which were in repeated violation of minimum standards did not adequately protect the consuming public from poultry or poultry products that could have become adulterated or otherwise unfit for human consumption. During a period of suspension, plants

SEPT. 10, 1968

cannot process poultry or poultry products for sale in interstate or foreign commerce.

GAO believes also that the failure of C&MS to suspend or terminate inspection services at such plants could imply to the management of other federally inspected plants that violations would be treated with minimum consequence.

GAO identified also 44 federally inspected plants which were permitted to ship poultry in interstate commerce for sale to the consuming public that, on the basis of daily tests, contained water in excess of that permitted by regulations. These plants exceeded moisture requirements at least 20 percent of the time during 4 to 11 months of calendar year 1967. The 44 plants accounted for over 13 percent of the poultry slaughtered under Federal inspection during calendar year 1967. (See pp. 22 to 26.)

GAO believes that the consuming public was not adequately protected against increased costs resulting from excessive water in poultry because C&MS inspection personnel were not authorized to retain poultry containing water found to be excessive on the basis of the results of daily moisture absorption tests.

#### RECOMMENDATIONS OR SUGGESTIONS

The Administrator of C&MS should

- strengthen enforcement procedures by establishing effective criteria for the suspension and termination of inspection services at those plants in violation of minimum standards.
- determine whether the poultry plants identified during GAO's review as having operated in violation of minimum standards over extended periods of time are currently operating in compliance with minimum standards.
- establish a daily-testing procedure that can be used as a basis for retaining for additional processing any product that is in excess of moisture absorption tolerances.
- authorize the C&MS inspector in charge at the plant to retain poultry for additional processing on the basis of daily tests.

#### AGENCY ACTIONS AND UNRESOLVED ISSUES

C&MS informed GAO that a rigorous national effort had recently been activated to ensure adequate sanitation in inspected plants. C&MS stated that inspection had been suspended at several plants, that numerous plants had been required to make immediate improvements, and that major

## APPENDIX II

Long-term improvements were being called for and rigid deadlines established therefor.

C&MS stated also that suspension action was being and would be taken on plants unwilling to provide acceptable sanitary conditions and that instructions to field personnel were being amended to ensure proper understanding of their authority to take action to ensure proper plant sanitation. GAO agrees with the actions taken by C&MS and believes that the intensified C&MS efforts to ensure adequate sanitation in federally inspected plants should be continued as a permanent part of the enforcement program.

C&MS advised GAO that the regional directors having responsibility for the plants identified in GAO's review had been advised of the need for immediate in-depth reviews of such plants and for taking appropriate action, including suspension of inspection, should the nature of current findings warrant such action.

With respect to moisture control, C&MS informed GAO that there was in the final stages of design a statistical control system of daily tests to be performed by C&MS inspectors assigned to the plants. C&MS stated that full authority for retaining birds out of compliance on the basis of the results of daily tests would be placed in the hands of the plant inspector in charge and the retained birds would not be distributed to consumers until excessive moisture had been removed. C&MS stated also that it planned to put this system into use, nationally, in the near future.

### MATTERS FOR CONSIDERATION BY THE CONGRESS

Because poultry and poultry products are an important source of the Nation's supply of food and are consumed throughout the Nation, the Congress may wish to consider the matters discussed in this report in its continuing evaluation of consumer protection programs.

*COMPTROLLER GENERAL'S  
REPORT TO THE CONGRESS**WEAK ENFORCEMENT OF FEDERAL SANITATION  
STANDARDS AT MEAT PLANTS BY THE  
CONSUMER AND MARKETING SERVICE  
Department of Agriculture B-163450*D I G E S TWHY THE REVIEW WAS MADE

The Congress has determined that it is essential for the health and welfare of consumers to be protected by ensuring that meat and meat food products distributed to them are wholesome and processed under sanitary conditions.

Under the Federal Meat Inspection Act, the Consumer and Marketing Service, Department of Agriculture, has the responsibility for establishing and enforcing sanitation standards in federally inspected meat plants. Inspectors assigned to the plants are responsible for enforcing the sanitation standards. (See p. 6.)

The Consumer and Marketing Service also is responsible for ensuring that sanitation standards are maintained by nonfederally inspected plants that receive Federal grading service--a marketing service provided to meat plants upon request. (See p. 7.)

As of December 31, 1969, there were about 3,200 federally inspected plants and about 140 nonfederally inspected plants which had been approved by the Consumer and Marketing Service as eligible to receive Federal grading service.

The General Accounting Office (GAO) in a report to the Congress (B-163450, September 10, 1969) pointed out the need for the Consumer and Marketing Service to strengthen its enforcement procedures to ensure that standards for sanitation, facilities, and equipment were met by federally inspected poultry plants. Also, the Office of the Inspector General, Department of Agriculture, in 1965 and 1969 pointed out weaknesses in the enforcement of sanitation standards at federally inspected meat plants.

In view of previously indicated weaknesses in the enforcement of sanitation standards, GAO wanted to ascertain the adequacy of the Consumer and Marketing Service's enforcement of sanitation standards at meat plants provided Federal inspection or grading service.

GAO's review was directed primarily to certain of the plants which Consumer and Marketing Service records indicated had sanitation problems.

## APPENDIX III

Conditions found in the plants and reported in this review therefore may not be typical of conditions in all plants receiving Federal inspection or grading service.

### FINDINGS AND CONCLUSIONS

The Consumer and Marketing Service needs to strengthen its enforcement procedures to ensure that standards for sanitation are met by plants receiving Federal inspection or grading service.

Accompanied by Consumer and Marketing Service supervisory personnel, GAO visited 40 federally inspected plants and eight nonfederally inspected plants receiving Federal grading service. Evaluations of the plants were made in accordance with Consumer and Marketing Service sanitation standards. (See pp. 14 and 34.)

In calendar year 1969, the 40 federally inspected plants accounted for about 7.7 percent of the cattle and swine slaughtered and about 4.9 percent of meat products processed in all federally inspected plants.

Consumer and Marketing Service inspection personnel were not uniform in their enforcement of sanitation standards and generally were lenient with respect to many unsanitary conditions unless product contamination was obvious.

At 36 of the 40 federally inspected plants and at the eight nonfederally inspected plants, animals were being slaughtered or meat food products were being processed for sale to the consuming public under unsanitary conditions. GAO observed instances of product contamination at 30 of the federally inspected plants and at five of the nonfederally inspected plants. Some of the major unsanitary conditions observed during GAO's plant visits included:

- Lack of adequate pest control as evidenced by flies, cockroaches, and rodents.
- Improper slaughter operations resulting in contamination of carcasses with fecal material and hair.
- Use of dirty equipment and processing of product in unsanitary areas.
- Contamination of product by rust, condensation, and other foreign material from deteriorated or poorly maintained overhead structures. (See pp. 15 and 34.)

Examples illustrating sanitation problems at federally inspected and nonfederally inspected plants visited by GAO are located on pages 16 to 30 and pages 34 to 40, respectively.

At the plants visited, Consumer and Marketing Service inspection personnel had not consistently

- rejected for use equipment and plant areas or suspended inspection in federally inspected plants when unsanitary conditions were found and
- recommended the withdrawal of Federal grading services at nonfederally inspected plants that were found operating under unsanitary conditions.

If Federal inspection service is suspended, a plant cannot slaughter animals or process meat for movement in interstate commerce. The withdrawal of grading service from a nonfederally inspected plant precludes the plant's using any official mark or other identification of the Federal grading service. (See pp. 6 and 8.)

GAO was unable to ascribe to any one cause the failure of inspection personnel to require plant managements to promptly and effectively correct unsanitary conditions. GAO believes, however, that a primary cause of the lack of uniformity and leniency in enforcement of sanitation standards was a lack of clear and firm criteria setting forth the actions to be taken when unsanitary conditions were found.

GAO believes that weaknesses in the Consumer and Marketing Service's system for reporting on plant reviews also contributed to the inadequate enforcement of sanitation standards at federally inspected plants. Because reports generally did not show what action, if any, was taken to correct reported unsanitary conditions, information was not readily available to Consumer and Marketing Service management as to whether appropriate and timely corrective actions were required by inspection personnel. (See p. 41.)

Clear and firm criteria--setting forth the actions to be taken when unsanitary conditions are found--and improved reporting policies can provide a basis for improving the enforcement of sanitation standards at meat plants. In the final analysis, GAO believes that the effectiveness with which such standards are enforced will be dependent on the resolve of Consumer and Marketing Service personnel at each and every level--from the plant inspectors to the Washington officials.

#### RECOMMENDATIONS OR SUGGESTIONS

The Administrator of the Consumer and Marketing Service should reemphasize to individual employees at all levels their responsibilities for the enforcement of regulations to ensure that meat and meat food products are wholesome and unadulterated.

### APPENDIX III

To assist employees at all levels in carrying out their responsibilities the Administrator should establish

- criteria setting forth specific conditions under which inspection and grading services should be suspended at plants in violation of sanitation standards and under which equipment and specific plant areas in federally inspected plants should be rejected for use until made acceptable and
- a uniform reporting policy whereby action taken and to be taken will be a required part of all reports pertaining to observed sanitation deficiencies. (See p. 42.)

#### AGENCY ACTIONS AND UNRESOLVED ISSUES

The Administrator of the Consumer and Marketing Service (see app. I) stated that:

- The conditions described in GAO's report are of deep concern to the Department of Agriculture, and the Department is and has been determined to eliminate such threats to the wholesomeness of the Nation's meat and poultry products.
- The emphasis and objectives of the major inspection improvement program already under way and now being intensified in the Consumer and Marketing Service are completely in line with and responsive to GAO's recommendations.
- Much has been accomplished but much remains to be done.

With respect to specific actions taken and planned, the Administrator stated that:

- A letter had been directed to all Consumer Protection Program personnel clearly outlining inspection objectives and procedures regarding sanitation and assuring each employee of full support for his efforts in enforcing sanitation standards.
- Meetings would be held with committees from major meat packer organizations for the purpose of reemphasizing meat inspection objectives and developing an educational program for their membership on the whole spectrum of meat inspection, particularly sanitation.
- Revised procedures, forms, and instructions had been issued to assist inspectors in carrying out the Consumer and Marketing Service's policy at plants where unsanitary conditions are found, including criteria for withholding or suspending inspection for cause.

The Administrator also provided detailed information on enforcement actions taken as a result of the inspection improvement program. He

stated that, although the record demonstrates progress during the past year, the need for still further action is acknowledged.

The action needed will be determined by a management study now under way to determine improvements needed in administration. This study is expected to have strong impact on carrying out GAO's recommendation relating to improved reporting systems to demonstrate actions taken.

The Administrator provided the following report on the status of the 48 plants visited by GAO as determined by recent Consumer and Marketing Service plant visits.

- Federal inspection has been discontinued at five of the 40 federally inspected plants.
- Conditions of sanitation in 27 of the federally inspected plants have been so improved as to meet Consumer and Marketing Service sanitary requirements.
- Two of the eight nonfederally inspected plants ceased operations following withdrawal of recognition for Federal grading service.
- Four nonfederally inspected plants' operating conditions are now acceptable.
- In the remaining eight federally inspected plants and the two nonfederally inspected plants, action has been taken to protect the product while the remaining needed plant improvements are being completed.

GAO believes that the actions already taken and the further actions outlined by the Administrator, if fully implemented, substantially comply with its recommendations and will provide greater assurance to the consuming public that meat products are processed under sanitary conditions. GAO believes, however, that, even with the intensified enforcement actions planned by the Consumer and Marketing Service, continuing efforts of all inspection personnel to require compliance with sanitation standards are vital to maintaining the integrity of the inspection program and ensuring the consuming public of a wholesome product.

MATTERS FOR CONSIDERATION BY THE CONGRESS

This report discusses matters of such importance to the consuming public that the Congress may wish to consider the facts revealed and the steps being taken to correct the situation.

PRINCIPAL OFFICIALS OF  
THE DEPARTMENT OF AGRICULTURE  
RESPONSIBLE FOR ADMINISTRATION OF ACTIVITIES  
DISCUSSED IN THIS REPORT

	<u>Tenure of office</u>	
	<u>From</u>	<u>To</u>
<u>DEPARTMENT OF AGRICULTURE</u>		
SECRETARY OF AGRICULTURE:		
Clifford M. Hardin	Jan. 1969	Present
ASSISTANT SECRETARY, MARKETING AND CONSUMER SERVICES:		
Richard E. Lyng	Mar. 1969	Present
<u>CONSUMER AND MARKETING SERVICE</u>		
ADMINISTRATOR:		
Clayton Yeutter	Oct. 1970	Present
George R. Grange (acting)	July 1970	Oct. 1970
Roy W. Lennartson	Feb. 1969	July 1970
DEPUTY ADMINISTRATOR, MEAT AND POULTRY INSPECTION:		
Kenneth M. McEnroe	Sept. 1970	Present
Lester H. Burkert (acting)	July 1970	Sept. 1970
Gilbert H. Wise	Aug. 1969	June 1970

Copies of this report are available from the U. S. General Accounting Office, Room 6417, 441 G Street, N W., Washington, D.C., 20548.

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